

APR 12 2006

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

FOR THE NINTH CIRCUIT

KAMALJIT KAUR,

Petitioner,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 04-72705

Agency No. A79-267-267

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted April 5, 2006^{**}

Before: HAWKINS, McKEOWN, and PAEZ, Circuit Judges.

Kamaljit Kaur is a native and citizen of India. Kaur petitions for review of the Board of Immigration Appeals' ("BIA") decision which affirmed the Immigration Judge's ("IJ") order denying her application for asylum, withholding

^{*} This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

of removal, and relief under the Convention Against Torture (“CAT”). We have jurisdiction under 8 U.S.C. § 1252.

Where, as here, “the BIA reviews the IJ’s decision de novo, our review is limited to the BIA’s decision, except to the extent that the IJ’s opinion is expressly adopted.” *See Shah v. INS*, 220 F.3d 1062, 1067 (9th Cir. 2000). We review for substantial evidence an adverse credibility determination, *Chebchoub v. INS*, 257 F.3d 1038, 1042-43 (9th Cir. 2001), and we deny this petition for review.

The IJ offered specific and cogent reasons for his credibility determination based on a demeanor finding, a lack of responsiveness regarding the central aspect of Kaur’s claim, and a failure to corroborate her case in San Francisco with a key witness who lived nearby in San Jose. *See Singh-Kaur v. INS*, 183 F.3d 1147, 1151 (9th Cir. 1999); *see also Sidhu v. INS*, 220 F.3d 1085, 1089-92 (9th Cir. 2000). Thus, substantial evidence supports the IJ’s adverse credibility determination. *See Chebchoub*, 257 F.3d at 1042-43.

Because Kaur did not establish that she was eligible for asylum, it follows that she did not satisfy the more stringent standard for withholding of removal. *See Farah v. Ashcroft*, 348 F.3d 1153, 1156 (9th Cir. 2003).

Kaur also has failed to meet the standard for CAT relief. *See id.* at 1156-57.

PETITION FOR REVIEW DENIED.